



THE STATE OF ARIZONA
GAME AND FISH DEPARTMENT

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GOVERNOR

DOUGLAS A. DUCEY

COMMISSIONERS

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LARRY D. VOYLES

DEPUTY DIRECTOR

TY E. GRAY



PUBLIC MEETING NOTICE AND AGENDA
REVISION #1

March 1, 2017

A public meeting of the Arizona Game and Fish Commission will be held on **March 3, 2017** at the **International Wildlife Museum, 4800 W. Gates Pass Blvd., Tucson, Arizona 85745**, as authorized by A.R.S. § 17-201(D). **Members of the public may attend the meeting in person or view the meeting at http://www.azgfd.gov/inside_azgfd/CommissionCam.shtml. Members of the public may view the meeting from any Department Regional Office via video teleconference, except for the Region V Office in Tucson. Members of the public attending in person or viewing via video teleconference may submit Speaker Cards (Blue Cards) if they wish to speak to the Commission. The ability to speak to the Commission for those viewing the webcast is not available.** Unless expressly provided otherwise with any item on the agenda, the Commission may discuss and vote to take action on the following matters:

Friday, March 3, 2017 - Meeting begins at 8:00 A.M.

Pledge of Allegiance

Welcome/Introductions

Awards and Recognition

- 1. Call to the Public.** Those persons wishing to speak should complete a speaker's card and present it to the host. Unless prior approval has been granted by the Chairman, comments will be limited to no more than three minutes. No discussion or action will be taken by the Commission. Any items requiring further discussion or action will be included on a future Commission meeting agenda.
- 2. Consent Agenda.** The following items have been grouped together and are hereby noticed as consent agenda items to expedite action on routine matters, which may not require public discussion. The Commission will be asked to approve briefings and updates without further public input or discussion and to approve other matters as presented, subject to approval or recommendations of the Office of the Attorney General. Commission members may remove certain items if further public input or discussion is deemed necessary.
 - a. Approve Memorandum of Understanding with Arizona Antelope Foundation.** **Presenter: Josh Avey, Chief, Terrestrial Wildlife Branch.** The Commission may approve a Memorandum of Understanding to allow the Department to partner with Arizona Antelope Foundation on conservation and education programs.

- b. **Approve Renewal of a Cooperative Agreement Partnering with BLM and Bullhead City in Management of the Colorado River Nature Center Wildlife Area. Presenter: Joyce Francis, Habitat Evaluation and Lands Branch Chief.** The Commission will be asked to renew the existing Cooperative Agreement partnering with BLM and Bullhead City for management of the Colorado River Nature Center Wildlife Area for an additional 10 years.
 - c. **Approve Right-of-Way Agreement Renewal with the US Bureau of Land Management. Presenter: Joyce Francis, Habitat Evaluation and Lands Branch Chief.** The Commission will be asked to approve renewal of a Right-of-Way Agreement with the Bureau of Land Management for road access for administrative purposes at the Powers Butte Wildlife Area.
 - d. **Approve License Agreement with Triskee Farms LLC at Quigley-Achee Wildlife Area. Presenter: Pat Barber, Yuma Regional Supervisor.** The Commission may approve a License Agreement with Triskee Farms LLC for the purpose of planting and harvesting crops on the Quigley-Achee Wildlife Area.
3. **State and Federal Legislation. Presenter: Ed Sanchez, Legislative Liaison.** The Commission will be briefed on the status of State and Federal legislation. The Commission may take a position or provide direction to the Department for coordination, action, or proposed changes to legislation or other elective issues related to Department responsibilities.
 4. **Commission Priorities Update. Presenter: Kent Komadina, Special Assistant to the Director.** The Department will provide an update on efforts towards accomplishing Commission Priorities. The Commission may discuss and provide additional direction.
 5. **Briefing on Department Deployment of Arizona Management System (AMS). Presenter: Ty Gray, Deputy Director.** The Department will provide an informational briefing on its deployment of the AMS methods and tools to reduce waste and build sustainable efficiency in Department systems and processes.
 6. **Approve the Article 3 Taking and Handling of Wildlife Five-year Rule Review Report, for Submission to the Governor's Regulatory Review Council (G.R.R.C.). Presenter: Jay Cook, FOR6 Regional Supervisor.** The Department will ask the Commission to approve the Five-year Rule Review Report for Article 3, addressing the taking and handling of wildlife, for submission to G.R.R.C. The Commission may vote to take action on and provide the Department direction on this item.

Agenda Items #7-8 are first read items. The Commission may choose to take action on first read items as needed or may direct the Department to place first read items on the consent agenda for approval at the next Commission meeting.

7. **Cooperative Agreement with the Yavapai Prescott Indian Tribe. Presenter: Scott Poppenberger, Kingman Regional Supervisor.** The Commission will be presented a Cooperative Agreement with the Yavapai Prescott Indian Tribe (YPIT) to provide support in the form of Conservation Law Enforcement training for the YPIT Police Department's Conservation Officer position.

8. **Establishment of a Special Use Permit with the Tonto National Forest for Installation of Reservoir Fish Habitat. Presenter: Chris Cantrell, Aquatic Wildlife Branch Chief.** The Commission will be asked to approve a Special Use Permit with the Tonto National Forest allowing the Department to install artificial fish habitat in five reservoirs on the Tonto National Forest.

TIME CERTAIN AT 10:00 AM

9. **Hearings on License Revocations for Violations of Game and Fish Codes and Civil Assessments for the Illegal Taking and/or Possession of Wildlife. Presenter: Gene F. Elms, Law Enforcement Branch Chief.** The Commission will consider and take action on the license revocations and/or civil assessments for the individuals listed below:

Name	Docket #	Count	Conviction
Brandon M. Balascio	2017-0010	Count A:	Take 4X4 trophy Mule Deer without a permit tag Citation A07326
Brandon M. Balascio	2017-0011	Count A:	Take 2X2 Mule Deer and allow edible portions to go to waste Citation A07327
		Count A:	Take 3X3 Mule Deer in excess of bag limit Citation A01611
Brandon M. Balascio	2017-0012	Count A:	Take javelina without a valid permit tag Citation A07263
		Count A:	Take javelina without a valid permit tag Citation A07265
		Count A:	Take javelina without a valid permit tag Citation A07270
		Count A:	Take javelina without a valid permit tag Citation A01614
		Count A:	Take javelina without a valid permit tag Citation A01616
Eh Kbaw Htoo	2017-0014	Count A:	Take javelina without a valid permit tag
		Count A:	Hunt without a valid license
		Count B:	Take wildlife with the aid of artificial light
		Count C:	Take wildlife with the aid of a vehicle
Eh Tru Htoo	2017-0015	Count D:	Possess unlawfully taken wildlife
		Count A:	Take wildlife with the aid of a vehicle
		Count B:	Take wildlife with the aid of artificial light
Logan L. Prochnow	2017-0021	Count C:	Possess unlawfully taken wildlife
		Count A:	Take Rainbow Trout by unlawful method (use other than artificial lure)
		Count B:	Possess unlawfully taken Rainbow Trout

Lunch Break (Begins at 12:00 p.m.)

10. **Threatened and Endangered Wildlife Briefing. Presenter: Jim deVos, Assistant Director, Wildlife Management Division.** The Commission will be provided a briefing on the role of private and public partnerships in reintroduction of threatened and endangered native wildlife.
11. **Removed from Agenda (Briefing on Federal Regulations Regarding Incidental Take)**

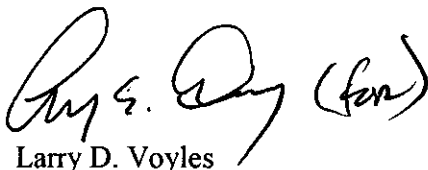
NEW

- 12. Announcement of the 2017 Heritage Grant Award Recipients. Presenter: Marty Herrera, Heritage Fund Administrator.** The Department will inform the Commission of the Heritage Grant sub-category award recipients for the 2017 Heritage Fund grant cycle.
- 13. Executive Session (The Commission will not vote to take any action during Executive Session).**
 - a. Litigation and Legal Advice.** The Commission may vote to meet in Executive Session in accordance with A.R.S. § 38-431.03(A)(3) and (4) for the purpose of discussing and consulting with legal counsel for legal advice in order to consider its position and to instruct legal counsel regarding the Commission's position concerning the *United States v. Freeport-McMoRan Corporation* (the Morenci Mine NRDA Settlement); Glen Canyon Dam Long-Term Experimental and Management Plan; *Holden and Guynn v. Arizona Game and Fish Commission*, CV2014-013211; Land Management Plans for the Prescott and Apache-Sitgreaves National Forests; *In re General Stream Adjudication for the Little Colorado River and Gila River*; *Zuni water rights settlement agreement*; Proposed Rosemont Copper Mine Project; *Center for Biological Diversity v. U.S. Forest Service*, CV 12-0817 (AZ); *Center for Biological Diversity v. Jewell*, CV 15-00019 (AZ); *State of Arizona v. Jewell*, CV 15-00245 (AZ); *WildEarth Guardians v. Ashe*, CV 15-00285 (AZ); *Harrison v. Dennerline* CV 15-01060 (AZ); *Safari Club International v. Jewell*, 16-00094 (AZ); *WildEarth Guardians v. Heather Provencio*, CV 16-0810; *New Mexico Game and Fish Department v. USFWS*, 16-2189.
 - b. Litigation and Legal Advice.** The Commission may vote to meet in Executive Session in accordance with A.R.S. § 38-431.03(A)(3) and (4) for the purpose of discussing and consulting with legal counsel for legal advice in order to consider its position and to instruct legal counsel regarding the Commission's position concerning the legal strategy recommendations from the Department's legal strategies team.
 - c. Legal Advice.** The Commission may vote to meet in Executive Session in accordance with A.R.S. § 38-431.03(A)(3) and (4) for the purpose of discussing and consulting with legal counsel for legal advice in order to consider its position on Arizona's Public Records Law and disclosure of personal identifying information.
 - d. Purchase of Real Property and Legal Advice.** The Commission may vote to meet in Executive Session pursuant to A.R.S. § 38-431.03(A)(3) and (7) for the purpose of discussion or consultation with Department staff in order to consider its position and instruct its representative regarding the purchase of real property and for the purpose of discussing and consulting with legal counsel for legal advice.
 - e. Legal Advice.** The Commission may vote to meet in Executive Session in accordance with A.R.S. § 38-431.03(A)(2) and (3) for the purpose of discussing and consulting with legal counsel for legal advice in order to consider its position on length of campground stays at Ben Avery Shooting Range.
 - f. Personnel Matters.** The Commission may vote to go into Executive Session in accordance with A.R.S. § 38-431.03(A)(1) to discuss personnel matters associated with the Director's duties, responsibilities and performance. The Commission may take action in the public session or defer any action to a later date.
- 14. Litigation Report.** The Department's legal counsel may report on the status of the litigation matters: *Holden and Guynn v. Arizona Game and Fish Commission*, CV2014-013211; *In re*

General Stream Adjudication for the Little Colorado River and Gila River; Center for Biological Diversity v. U.S. Forest Service, CV 12-08176; Center for Biological Diversity v. Jewell, CV 15-00019-LAB; State of Arizona v. Jewell, 15-CV-00245-CKJ; WildEarth Guardians v. Ashe, 15-CV-00285; Safari Club International v. Jewell, CV 16-00094; WildEarth Guardians v. Heather Provencio, CV 16-0810; New Mexico Game and Fish Department v. USFWS, 16-2189; Land Management Plans for the Prescott and Apache-Sitgreaves National Forests; Glen Canyon Dam Long-Term Experimental and Management Plan.

15. **Approve and Sign Minutes.** The Commission may approve and sign the Commission meeting minutes from February 3-4, 2017.
16. **Commissioner Committee Reports.** Commissioners may provide an update on the subcommittees that they chair regarding current events and issues. This item is for information only. Items requiring discussion, deliberation or legal action must be placed on a future Commission meeting agenda.
17. **Director and Commissioner Comments.** The Director and the Commissioners may provide brief comment on current events and issues. This item is for information only. Items requiring discussion, deliberation or legal action must be placed on a future Commission meeting agenda.
18. **Future Agenda Items and Action Items.**

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Larry D. Voyles
Director

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The agenda may be revised and additional items may be added prior to the meeting as authorized by A.R.S. §38-431.02. In that event, an addendum to the agenda will be noticed and posted prior to the meeting at Department offices. Commission agenda items not noticed for a specific time may be taken out of order. Background materials provided to Commission members concerning public agenda items are available for public inspection at the main office of the Arizona Game and Fish Department at 5000 W. Carefree Highway, Phoenix, at Department regional offices in Pinetop, Flagstaff, Kingman, Yuma, Tucson, Mesa and at the meetings.

During the public meeting, the Commission may afford any person, their duly authorized representative, or both, the opportunity to present statements relating to agenda items, with or without the opportunity to present them orally. The Commission may go into Executive Session for the purpose of obtaining legal advice from the Commission Attorneys on any of the above agenda items pursuant to A.R.S. § 38-431.03 (A) (3) & (4). One or more members of the Commission may appear and participate in the meeting telephonically or by other electronic means.

Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, or this document in an alternative format, by contacting the AGFD Deputy Director, 5000 W. Carefree Highway, Phoenix, Arizona 85086, 602-942-3000. Requests should be made as early as possible to allow time to arrange the accommodation.

The Arizona Game and Fish Department is responsible for managing Arizona's fish and wildlife resource as

an enduring public trust. In addition, the Department is charged with promoting safe and responsible use of watercraft and off-highway vehicles. Funding is provided from the sale of licenses and permits; watercraft registration fees; federal excise taxes on firearms, fishing equipment, boats, and other sporting goods; State lottery revenues; donations on State income tax forms; and various contracts and grants. Department policy is set by the Arizona Game and Fish Commission, whose five members are appointed by the Governor.

“Managing Today for Wildlife Tomorrow”